

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re

Mary Rivers and Donald Rivers,

Debtors

Chapter 7

Case No. 13-21187

LAO Properties, LLC,

Plaintiff,

v.

Mary Rivers and Donald Rivers,

Defendants

Adversary Proceeding

Adversary Case No. 14-02009

STIPULATED JUDGMENT

THIS MATTER having come before the Court on the Complaint of Plaintiff, LAO Properties, LLC ("Plaintiff"), dated February 25, 2014, and on Plaintiff's Amended Application for Default Judgment dated April 28, 2014, and upon the consent and agreement of Plaintiff and Defendants/Debtors, Mary Rivers and Donald Rivers ("Defendants"), the Court hereby finds as follows:

1. Plaintiff commenced this adversary proceeding against Defendants, seeking, *inter alia*, a determination that certain obligations of Defendants to Plaintiff, as more particularly described in the Complaint, are nondischargeable.
2. Defendants were duly served with the Complaint and Summons.
3. Venue is properly laid in this Court.
4. A default against Defendants has been duly entered by the Clerk of this Court on April 2, 2014.

5. Notice of Plaintiff's Amended Application for Default Judgment was duly served upon Defendants and their counsel as well as the U.S. Trustee and Chapter 7 Trustee.

6. By way of fully disposing of the Complaint and Amended Application for Default Judgment in their entirety, Plaintiff and Defendants have agreed to the terms and conditions of this Stipulated Judgment.

NOW, THEREFORE, it is hereby

ORDERED, ADJUDGED AND DECREED

That final judgment is hereby entered in favor of Plaintiff, LAO Properties, LLC, and against Defendants, Mary Rivers and Donald Rivers, jointly and severally, in the amount of One Hundred Seventy-Eight Thousand Two Hundred Thirty-Three Dollars and Nineteen Cents (\$178,233.19), together with interest at the rate of 6% *per annum* and costs, and such sum shall be, and hereby is a nondischargeable personal claim against an obligation of Defendants, jointly and severally, to Plaintiff pursuant to 11 U.S.C. §§ 523(a)(4) and 523(a)(6); and it is hereby further

ORDERED, ADJUDGED AND DECREED

That Plaintiff and Defendants hereby waive any and all rights of appeal with respect to the entry and docketing of this Stipulated Judgment. Defendants hereby withdraw their Motion to Lift Default dated April 25, 2014. Defendants hereby further waive any and all available and/or applicable rights to file in this action a motion made pursuant to Rules 50, 52, 59 or 60 of the Federal Rules of Civil Procedure, as incorporated in the Federal Rules of Bankruptcy Procedure.

DATE: June 11, 2014



Hon. Louis H. Kornreich
CHIEF U.S. BANKRUPTCY JUDGE

The Court does not retain jurisdiction over collection of the nondischargeable obligation.

SEEN AND AGREED TO:

Date: June 10, 2014

/s/ David M. Hirshon
David M. Hirshon, Esq.

/s/ Marshall J. Tinkle
Marshall J. Tinkle, Esq.
Attorneys for Plaintiff,
LAO Properties, LLC

HIRSHON LAW GROUP, P.C.
208 Fore St.
Portland ME 04101

Date: June 10, 2014

/s/ J. Scott Logan
J. Scott Logan, Esq.
Attorney for Defendants,
Mary Rivers and Donald Rivers

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